

Serial No. 09/944,150

Attorney Docket No. 12-006

REMARKS

Claims 20, 23, 24, 26 – 28 and 32 are pending. Claims 1 – 19, 21 – 22, 25 and 29 – 31 have been canceled. Claims 24, 26 and 28 have been withdrawn. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The specification has been amended as required to cancel the wording “or the derivatives thereof.” Withdrawal of the objection to the specification is respectfully requested.

Claims 20, 23 and 27 are rejected under 35 USC 112, first paragraph as failing to comply with the written description requirement. Also, claims 20, 23 and 27 are rejected under 35 USC 112, second paragraph as being indefinite. The wording listed in the office action as being unsupported and/or indefinite has been canceled from claim 20.

Claims 20, 23 and 27 are rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,852,108, Yamanaka et al. (“Yamanaka”). Independent claim 20 has been amended to recite “consisting of” instead of “composed of.” Insofar as the rejection can be applied to the claims as amended, the rejection is respectfully traversed for reasons including the following, which are provided by way of example.

According to the claims, e.g., claim 20, the invention consists of a modified polymer material, where the modified polymer material is at least one material selected from the recited group, and at least a portion of the modified polymer material is modified by a first modifier as recited.. Thereby, an improved porous film of polymer material, which has a high resistance to the electrolyte, can be provided by modifying at least a portion of the polymer material by a modifier.

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Without conceding that Yamanaka discloses any feature of the present invention, Yamanaka is directed to a composite particulate material for resin reinforcement. The composite particulate material for resin reinforcement comprises an inorganic particulate material (A) and an elastic polymer (B).

The office action asserts that Yamanaka discloses the invention as claimed. To the contrary, Yamanaka fails to teach or suggest the invention, as presently claimed.

The examiner states that Yamanaka teaches a reinforced resin composition comprising a composite particulate material and a thermoplastic resin material, where the composite material contains an inorganic material (A) and an elastic polymer material (B).

In independent claim 20, as compared with Yamanaka, the porous film consists of the modified polymer material. Yamanaka, on the other hand includes both the elastic polymer (B) and the inorganic material (A).

Yamanaka fails to teach or suggest, for example, these elements recited in independent claim 20. It is respectfully submitted therefore that claim 20 is patentable over Yamanaka.

For at least these reasons, the combination of features recited in independent claim 20, when interpreted as a whole, is submitted to patentably distinguish over the prior art. In addition, Yamanaka clearly fails to show other recited elements as well.

With respect to the rejected dependent claims, applicants respectfully submit that these claims are allowable not only by virtue of their dependency from independent claim 20, but also because of additional features they recite in combination.

New claim 32 has been added to further define the invention, and is believed to be patentable for reasons including those set out above. Support for claim 32 is located in the

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specification as filed, for example, pages 31-32. It is respectfully submitted that the reference in claim 32 to limitations in claim 20 is proper. MPEP 2173.05(f).

Applicants respectfully submit that, as described above, the cited prior art does not show or suggest the combination of features recited in the claims. Applicants do not concede that the cited prior art shows any of the elements recited in the claims. However, applicants have provided specific examples of elements in the claims that are clearly not present in the cited prior art.

Applicants strongly emphasize that one reviewing the prosecution history should not interpret any of the examples applicant has described herein in connection with distinguishing over the prior art as limiting to those specific features in isolation. Rather, for the sake of simplicity, applicants have provided examples of why the claims described above are distinguishable over the cited prior art.

The examiner is respectfully requested to rejoin claims 24, 26 and 28, which depend from claim 20. Because claim 20 is deemed to be in condition for allowance for reasons including those provided above, it is respectfully submitted that claims 24, 26 and 28 should be rejoined and allowed.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

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If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



David G. Posz
Reg. No. 37,701

Posz Law Group, PLC
12040 South Lakes Drive, Suite 101
Reston, VA 20191
Phone 703-707-9110
Fax 703-707-9112
Customer No. 23400